

**United States District Court**

**EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

RONALD G. ROSSETTI

V.

AVIS RENT-A-CAR SYSTEM, INC., ET AL.

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§  
§

CASE NO. 4:04CV358  
(Judge Schneider/Judge Bush)

**MEMORANDUM ADOPTING REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report of the United States Magistrate Judge in this action, this matter having been heretofore referred to United States Magistrate Judge Don D. Bush pursuant to 28 U.S.C. § 636. On June 23, 2005, the Report of the Magistrate Judge was entered containing his proposed findings of fact and recommendation that Defendant Enterprise Rent-A-Car Company's Amended Motion to Dismiss should be denied.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the Court. It is, therefore,

**ORDERED, ADJUDGED and DECREED** that Defendant Enterprise Rent-A-Car Company's Amended Motion to Dismiss is **DENIED**.

**SIGNED** this 15th day of July, 2005.



MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE